

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|                        |   |
|------------------------|---|
| Attorney Docket No.    | 24180-910000  |
| First Inventor         | Suzanne E. Schaefer   |
| Title                  | Multilayer Heat Sealant Structures, Packages and Methods of Making the Same |
| Express Mail Label No. | EL983124172US   |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria VA 22313-1450

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)  
See 37 CFR 1.27.
- ☐ Applicant claims small entity status.
- ☒ Specification [Total Pages 17]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
- Oath or Declaration [Total Sheets     ]
  - ☐ Newly executed (original or copy) unexecuted
  - ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)
  - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Reader Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ Paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1499
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☒ Other: Patent Cover Sheet and Cert. of Express Mailing

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_  
For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

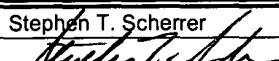
## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

OR ☒ Correspondence address below

|         |                         |           |                |          |                |
|---------|-------------------------|-----------|----------------|----------|----------------|
| Name    | Stephen T. Scherrer     |           |                |          |                |
| Address | McDermott, Will & Emery |           |                |          |                |
|         | 227 West Monroe         |           |                |          |                |
| City    | Chicago                 | State     | Illinois       | Zip Code | 60606-5096     |
| Country | US                      | Telephone | (312) 372-2000 | Fax      | (312) 984-7700 |

|                   |   |                                   |              |
|-------------------|---|-----------------------------------|--------------|
| Name (Print/Type) | Stephen T. Scherrer   | Registration No. (Attorney/Agent) | 45,080       |
| Signature         |  | Date                              | Sep 17, 2003 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 984

## Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   | Not yet assigned    |
| Filing Date          | September 17, 2003  |
| First Named Inventor | Suzanne E. Schaefer |
| Examiner Name        | Not yet assigned    |
| Art Unit             | Not yet assigned    |
| Attorney Docket No.  | 24180-910000        |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

13-0206

McDermott, Will & Emery

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid  |
|--------------|----------|--------------|----------|------------------------|-----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |           |
| 1001         | 750      | 2001         | 375      | Utility filing fee     | 750       |
| 1002         | 330      | 2002         | 165      | Design filing fee      |           |
| 1003         | 520      | 2003         | 260      | Plant filing fee       |           |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     |           |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |           |
| SUBTOTAL (1) |          |              |          |                        | (\$ ) 750 |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       |    | Extra Claims |    | Fee from below |    | Fee Paid |     |
|--------------------|----|--------------|----|----------------|----|----------|-----|
|                    |    |              |    |                |    |          |     |
|                    | 33 | -20** =      | 13 | x              | 18 | =        | 234 |
| Independent Claims | 3  | -3** =       | 0  | x              | 84 | =        | 0   |
| Multiple Dependent |    |              |    |                |    |          |     |

| Large Entity           |          | Small Entity |          | Fee Description  |
|------------------------|----------|--------------|----------|--|
| Fee Code               | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202                   | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201                   | 84       | 2201         | 42       | Independent claims in excess of 3                          |
| 1203                   | 280      | 2203         | 140      | Multiple dependent claim, if not paid                      |
| 1204                   | 84       | 2204         | 42       | ** Reissue independent claims over original patent         |
| 1205                   | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$ ) 234 |          |              |          |  |

\*\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

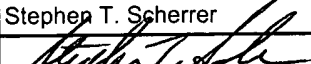
Large Entity Small Entity

| Fee Code  | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|---|----------|----------|----------|--|----------|
| 1051  | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052  | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053  | 130      | 1053     | 130      | Non-English specification  |          |
| 1812  | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804  | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805  | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251  | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252  | 410      | 2252     | 205      | Extension for reply within second month                                    |          |
| 1253  | 930      | 2253     | 465      | Extension for reply within third month                                     |          |
| 1254  | 1,450    | 2254     | 725      | Extension for reply within fourth month                                    |          |
| 1255  | 1,970    | 2255     | 985      | Extension for reply within fifth month                                     |          |
| 1401  | 320      | 2401     | 160      | Notice of Appeal   |          |
| 1402  | 320      | 2402     | 160      | Filing a brief in support of an appeal                                     |          |
| 1403  | 280      | 2403     | 140      | Request for oral hearing   |          |
| 1451  | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452  | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453  | 1,300    | 2453     | 650      | Petition to revive - unintentional   |          |
| 1501  | 1,300    | 2501     | 650      | Utility issue fee (or reissue)   |          |
| 1502  | 470      | 2502     | 235      | Design issue fee   |          |
| 1503  | 630      | 2503     | 315      | Plant issue fee  |          |
| 1460  | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807  | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806  | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021  | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809  | 750      | 2809     | 375      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810  | 750      | 2810     | 375      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801  | 750      | 2801     | 375      | Request for Continued Examination (RCE)                                    |          |
| 1802  | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) Publication fee and soft copies of patent |          |          |          |  |          |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 0

## SUBMITTED BY

|                   |   |                                   |                    |           |                |
|-------------------|---|-----------------------------------|--------------------|-----------|----------------|
| Name (Print/Type) | Stephen T. Scherrer   | Registration No. (Attorney/Agent) | 45,080             | Telephone | (312) 372-2000 |
| Signature         |  | Date                              | September 17, 2003 |           |                |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Suzanne E. Schaefer

Title

Multilayer Heat Sealant Structures, Packages  
and Methods of Making the Same

Attorney Docket Number

24180-910000

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 17, 2003

Date

Signature

(312) 372-2000

Telephone number

Stephen T. Scherrer

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

In re Appln. of Schaefer, et al.  
New Utility Patent Application  
"MULTILAYER HEAT SEALANT STRUCTURES, PACKAGES AND METHODS OF  
A MAKING THE SAME"  
Docket No. 24180-910000

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"Express Mail" mailing label number EL983124172US

Date of Deposit: September 17, 2003

I hereby certify that the following documents:

1. Certificate of Express Mailing (1 pp.);
2. Fee Transmittal (1 pp. - in dup.);
3. Utility Patent Application Transmittal (1 pp.);
4. Nonpublication Request (1 pp.);
5. Patent Cover Sheet (1 pp.);
6. Specification (description, claims and abstract) (17 pp.);
7. Drawing - Figs. 1-2 (1 pp.) and
8. Return Postcard.

are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sharon McClain

(Typed or printed name of person mailing paper or fee)

Sharon McClain

(Signature of person mailing paper or fee)